

APPENDIX C-5

APPLICATION OF HARRINGTON *ET AL.* CLAIMS TO THE
DISCLOSURE OF HARRINGTON *ET AL.* APPLICATION 09/276,820

Harrington *et al.* Claim 271

Harrington *et al.* Disclosure

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| A method to activate expression of an endogenous gene in an isolated eukaryotic cell comprising | Abstract 10:1 10:15-29 45:24-25 53:8-11, 17-19 54:24-25 |
| introducing a vector construct into said isolated eukaryotic cell, | Figures 1-4 14:28-30 42:23-24 53:17-19 56:8-24 |
| said vector construct comprising in operable combination | Figures 1-4 6:18-20 37:8-19 38:20-40:25 46:25 47:17-48:2 |
| 1) a promoter; | 45:11-13 |
| 2) an exon sequence located 3' from and expressed by said promoter | Figures 1-4 37:8-19 38:20-40:25 46:25 47:18-19 |
| said exon being derived from a naturally occurring eukaryotic gene | 46:25-26 |
| and not being a screenable marker gene; and | 47:8-10 48:9-12 49:6-21 50:3-5 |

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| 3) a splice donor sequence defining the 3' region of said exon | 47:10-11 |
| said splice donor sequence being derived from a naturally-occurring eukaryotic gene; | 48:13-18 |
| wherein said vector construct is non-homologously incorporated into the genome of a said isolated eukaryotic cell | 30:21-31:5 34:10-13 48:21-23 |
| and said splice donor sequence of the transcript encoded by said exon is spliced to a splice acceptor sequence of said endogenous gene. | 48:19-27 |